

AUGUST 25, 1976

# LAW OF THE SEA AND SEA-BED MINING

ANCHOR: THE LAW OF THE SEA CONFERENCE HAS PASSED ITS HALFWAY MARK IN NEW YORK BUT SEEMS THREATENED WITH A DEADLOCK. NEWS ANALYST FRED GALVAN HAS THESE THOUGHTS.

VOICE: WHEN REPRESENTATIVES OF SOME ONE HUNDRED FIFTY NATIONS MET IN NEW YORK SOME FOUR WEEKS AGO, HOPES WERE CAUTIOUSLY HIGH THAT THIS FIFTH SESSION OF THE LAW OF THE SEA CONFERENCE WOULD PRODUCE A COMPREHENSIVE LEGAL SYSTEM GOVERNING RELATIONS AMONG NATIONS ABOVE, ON AND BELOW THE SEA MUCH AS THEY NOW HAVE ON LAND. WITH THREE MORE WEEKS OF THE UNITED NATIONS-SPONSORED CONFERENCE TO GO, SOME PROGRESS HAS BEEN MADE (OPT) ON SUCH MATTERS AS NEW TERRITORIAL SEA LIMITS, ESTABLISHMENT OF ECONOMIC ZONES, THE LEGAL DEFINITION OF THE RIGHTS OF ALL NATIONS TO NAVIGATE FREELY, AND THE SHARING OF THE ECONOMIC AND SCIENTIFIC BENEFITS TO BE DERIVED FROM THE RICHES THE WORLD'S OCEANS OFFER CLOSE TO THEIR SURFACES. (END OPT). BUT IT IS THE TREASURES OF THE DEEP SEA-BED THAT HAVE CAUSED THE DELEGATES THE MOST TROUBLE-- (OPT) AS TO HOW TO DEVISE A SYSTEM THAT WOULD BE FAIR TO ALL NATIONS--THE DEVELOPED AND THE DEVELOPING, THE COASTAL STATES AND THE LAND-LOCKED COUNTRIES. (END OPT) FOR, AS THE DEVELOPING COUNTRIES HAVE DECLARED--AND THE INDUSTRIALIZED ONES RECOGNIZED--THE SEA'S RICHES ARE THE HERITAGE OF ALL MANKIND.

FOR A NUMBER OF YEARS THE WORLD HAS BEEN AWARE THAT THE OCEAN SEA-BEDS CONTAIN NOT ONLY RICH OIL DEPOSITS BUT MANY MINERALS ESSENTIAL TO MODERN INDUSTRY-- COPPER, NICKEL, MANGANESE AND MOLYBDENUM. INDUSTRIAL COUNTRIES, PRINCIPALLY THE UNITED STATES, ALREADY HAVE DEVELOPED THE TECHNOLOGIES NECESSARY TO EXPLOIT THOSE DEPOSITS. AND THIS FACT HAS IMPARTED A SENSE OF

URGENCY TO THE CONFERENCE DELIBERATIONS. FOR ALL PARTICIPANTS RECOGNIZE THAT UNLESS THEY DEVISE SOME SYSTEM OF REGULATING EXPLOITATION OF THOSE SEA-BED RESOURCES, THE WORLD IS THREATENED WITH AN ECONOMIC COMPETITION IN WHICH ONLY THE TECHNICALLY-CAPABLE, INDUSTRIALIZED COUNTRIES WOULD BE THE WINNERS, WITH THE LESS DEVELOPED COUNTRIES THE LOSERS.

IN RECOGNITION OF THIS HARD FACT THE UNITED STATES HAS PROPOSED WHAT AMERICAN DELEGATES CHARACTERIZE AS A "PARALLEL" SYSTEM OF EXPLOITATION. THE AMERICAN FORMULA WOULD CREATE AN INTERNATIONAL AUTHORITY WHICH WOULD CONTROL EXPLOITATION OF THE SEA-BED FOR THE BENEFIT OF ALL NATIONS -- PARTICULARLY THE LESS-DEVELOPED. THE FORMULA WOULD PERMIT EXPLOITATION OF PARTS OF THE SEA-BED BY PRIVATE FIRMS UNDER LICENSE FROM THE AUTHORITY.

UNTIL RECENTLY, THE DEVELOPING WORLD REPRESENTED BY THE SO-CALLED GROUP OF SEVENTY-SEVEN SEEMED TO BE LEANING TOWARD ACCEPTANCE OF THE AMERICAN FORMULA. SO DID THE SOVIET UNION AND ITS COMMUNIST ALLIES. BUT IN RECENT DAYS, THE THIRD WORLD COUNTRIES SEEM TO HAVE REVERTED TO THEIR ORIGINAL POSITION, CALLING FOR THE EXCLUSIVE EXPLOITATION OF SEA-BED RESOURCES BY AN INTERNATIONAL AUTHORITY. AND THE SOVIET UNION HAS ADVANCED ITS OWN PRESCRIPTION FOR SEA-BED EXPLOITATION THROUGH AN INTERNATIONAL AUTHORITY IN COMBINATION WITH STATE ENTERPRISES.

(OPT)

IT IS THESE THREE FORMULAS THAT ARE THE SUBJECT OF INTENSIVE NEGOTIATIONS BY THE LAW OF THE SEA CONFERENCE DELEGATES. THAT THOSE NEGOTIATIONS ARE CRUCIAL IS EVIDENT IF THE CONFERENCE IS TO MEET ITS GOAL OF AGREEING ON A DRAFT LAW OF THE SEA THAT A SUBSEQUENT SESSION NEXT YEAR CAN APPROVE. (END OPT) WITH THREE MORE WEEKS TO GO, THERE IS SOME HOPE THAT THE PRESENT APPARENT

DEADLOCK CAN BE BROKEN. IF IT IS NOT, THE UNITED STATES HAS ALREADY SERVED NOTICE IT WILL GO AHEAD WITH ITS OWN PROGRAM OF EXPLOITING THE SEA-BED OFF ITS CONTINENTAL SHELF. CONGRESS ALREADY HAS SEVERAL BILLS BEFORE IT THAT WOULD PROVIDE FOR SUCH UNILATERAL EXPLOITATION. PRESUMABLY OTHER TECHNICALLY-CAPABLE COUNTRIES WILL ALSO GO AHEAD. IT IS THIS PROSPECT THAT LENDS A SPECIAL AIR OF URGENCY TO THE NEGOTIATIONS IN NEW YORK, WHERE THE STAKES OF THE LESS DEVELOPED NATIONS ARE DIRECTLY INVOLVED.